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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/014,531	12/14/2001	Kazunori Horikiri	111420	3245

25944 7590 10/13/2006

OLIFF & BERRIDGE, PLC
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EXAMINER

LEMMA, SAMSON B

ART UNIT PAPER NUMBER

2132

DATE MAILED: 10/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Supplemental
Notice of Allowability**

Application No.

10/014,531

Examiner

Samson B. Lemma

Applicant(s)

HORIKIRI ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to telephone interview conducted on 10/03/2006.
2. ☒ The allowed claim(s) is/are 1-13, 16-18, 21-33, 36-38.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


KAMBIZ ZAND
PRIMARY EXAMINER

DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David R. Kemeny, (Registration No 57,241) on 10/03/2006. Claims 2-13, 16-18 depends on higher numbered claim 41. And claims 22-33 and 36-38 depend on higher renumbered claim 42.

In order to correct this, Applicant has agreed to re-number/change independent claim 41 to claim 1 and independent claims 42 to independent claims 21.

The application has been amended as follows :

In the claims:

21. (Currently amended) In claim 21, please delete "Canceled".
22. (Currently amended) In claim 22, please delete "according claim 42" and replace it with "according to claim 21".
23. (Currently amended) In claim 23, please delete "according to claim 42" and replace it with "according to claim 21".
24. (Currently amended) In claim 24, please delete "according to claim 42" and replace it with "according to claim 21".
25. (Currently amended) In claim 25, please delete "according to claim 42" and replace it with "according to claim 21".

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27. (Currently amended) In claim 27, please delete "according to claim 42" and replace it with "according to claim 21".
29. (Currently amended) In claim 29, please delete "according to claim 42" and replace it with "according to claim 21".
30. (Currently amended) In claim 30, please delete "according to claim 42" and replace it with "according to claim 21".
31. (Currently amended) In claim 31, please delete "according to claim 42" and replace it with "according to claim 21".
32. (Currently amended) In claim 32, please delete "according to claim 42" and replace it with "according to claim 21".
33. (Currently amended) In claim 33, please delete "according to claim 42" and replace it with "according to claim 21".
36. (Currently amended) In claim 36, please delete "according to claim 42" and replace it with "according to claim 21".
37. (Currently amended) In claim 37, please delete "according to claim 42" and replace it with "according to claim 21".
38. (Currently amended) In claim 38, please delete "according to claim 42" and replace it with "according to claim 21".
41. (Currently amended) In claim 41, please delete "41" and replace it with "1".
42. (Currently amended) In claim 42, please delete "42" and replace it with "21".

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samson B Lemma whose telephone number is 571-272-3806. The examiner can normally be reached on Monday-Friday (8:00 am---4: 30 pm).


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BARRON JR GILBERTO can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SAMSON LEMMA

S.L.,
10/03/2006


KAMBIZ ZAND
PRIMARY EXAMINER